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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

DEC 24 2012

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FILE COPY

James Cagle, Risk Manager - EHS
Nu-West Industries, Inc.
Agrium Conda Phosphate Operations
3010 Conda Road
Soda Springs, Idaho 83276

Re: EPA comments to A-34 Lateral Assessment Work Plan;
Administrative Order on Consent for Nu-West Industries, Inc.; Idaho Facility, Docket No. RCRA-10-2009-0186

Dear Mr. Cagle:

The purpose of this letter is to disapprove the A-34 Lateral Assessment Work Plan, dated December 17, 2012, submitted to EPA pursuant to the Administrative Order on Consent (Order), Docket No. RCRA-10-2009-0186. Enclosed is a list of comments that need to be addressed and deficiencies that need to be corrected.

In accordance with paragraph 69 of the Order, Nu-West Industries must submit a revised Work Plan within thirty days of receipt of this letter that responds to the comments received and/or corrects the deficiencies.

Should you have any questions, I may be reached at (206) 553-2964. Alternatively, you may reach me via email at: Magolske.Peter@epamail.epa.gov.

Thank you for your attention to this important matter.

Sincerely,

Peter Magolske
Air and RCRA Compliance Unit

Enclosure

cc: Brian Monson, Idaho Department of Environmental Quality
P. Scott Burton, Esq. Hunton and Williams LLP
Timothy J. Carlstedt, Esq. Hunton and Williams LLP

EPA comments on the A-34 Lateral Assessment Work Plan, dated December 17, 2012

EPA Comment 1

The stated goals of the study in Section 4.2 do not reflect many of the data needs communicated to Nu-West. EPA communicated the following to Nu-West on December 6, 2012.

> Within the vicinity of A-34, at the screened interval of 11.5 - 21.5 bgs, we do not know the following:
> (1) how significant the presumed Fire Loop line break was in contributing to saturation of the soil,
> (2) what sources are contributing to the shallow fluid with less than 2 pH, and where those sources are,
> (3) the dilution effect that the presumed Fire Loop line break (assume neutral pH) added to other fluids, such as low pH leaks and spills from manufacturing operations,
> (4) the rechargeability of the shallow zone, after removal fluids from that zone
> (5) how the chemistry and pH of the subsurface fluids has been affected subsequent to the isolation of the presumed Fire Loop line break

Work Plan page 12, section 4.2

Add a bullet to section 4.2 that states the following:

> Assess the rechargeability of the shallow groundwater zone in the vicinity of groundwater monitoring well A34-022 through a step-drawdown test.

Work Plan page 14, section 4.3.2

Add a bullet to section 4.3.2 that states the following:

> Assess the rechargeability of the shallow groundwater zone in the vicinity of groundwater monitoring well A34-022 through a step-drawdown test.

EPA comment 2

The work plan does not include any provisions for a step-drawdown test of the A-34 monitoring well. This was communicated by EPA to Nu-West on December 6, 2012.

Work Plan page 14, section 4.3.2

Add a bullet that states the following:

> Provide additional monitoring locations for a step draw down test.

Revise the work plan to provide procedures, instructions, and a schedule for conducting a step-drawdown test. As discussed on the conference call on December 12, 2012, the step-drawdown test is to be conducted after installation of the additional shallow groundwater monitoring wells.

Work Plan page 14, section 4.3.3

Add a bullet that states the following:

Assess aquifer characteristics of groundwater found at soil bedrock interface.

EPA comment 3

The text in section 5.2.2 at the end of page 20 states the following:

> If any new soil-bedrock interface monitoring wells do not have sufficient water (i.e. less than six inches) to collect groundwater samples during any of the scheduled monitoring events for 4 months, the wells will be decommissioned (abandoned) in accordance with the Idaho Administrative Rules for well construction.

From the limited amount of information provided to EPA by Nu-West, there are indications that the low pH fluid level at the A-34 location is of a transient nature, the source of which has not yet been conclusively identified. It is premature to propose decommissioning of monitoring wells in an area where hazardous wastes have been identified in the shallow zone above the uppermost basalt layer based on such a short time frame.

Work Plan page 20, section 5.2.2

Delete the above referenced text from section 5.2.2 and replace with the following:

> All wells will be assessed and sampled for at least 1 year according to the sampling frequency specified in Section 5.3.2. No decommissioning of any groundwater monitoring wells installed pursuant to this work plan will occur without the written agreement of EPA.

EPA comment 4

The introductory sentence in section 5.3 states the following:

> In order to assess to what extent affected groundwater at the A-34-022 location may be impacting the underlying basalt and sedimentary bedrock aquifers, Nu-West will implement a 4-month groundwater monitoring program for the Main Processing Area.

The source(s) of the groundwater contamination within the A-34-022 location have not yet been identified. Changes in the inputs to groundwater from manufacturing operations, waste management operations, precipitation, or other factors has the potential to create variability in groundwater chemistry beyond a limited four-month window. As stated above in comment 3, there are indications that the fluid level is of a transient nature.

Work Plan page 21, section 5.3

Delete the above referenced text from the work plan and replace with the following:

> In order to assess to what extent affected groundwater at the A-34-022 location may be impacting the underlying basalt and sedimentary bedrock aquifers, Nu-West will implement a 1-year groundwater monitoring program for the Main Processing Area, except as otherwise approved by EPA

Work Plan page 27, Section 6

Revise this section to reflect the minimum of 1 year of observations from these wells. Reporting of the analytical results to EPA within 30 days of receipt from the laboratory shall be specified.